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Page 1 of 3

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In re application : Marina V. Backer et al.
Serial No. : 09/872,712
Filed : June 1, 2001
For : MOLECULAR DELIVERY VEHICLE FOR DELIVERY
OF SELECTED COMPOUNDS TO TARGETS
Examiner : R. Schnizer
Attorney Docket : 102131-200
Group Art Unit : 1635
Confirmation No. : 4250

9 / K.T.
9/17
I.D.S

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, U. S. Patent and Trademark Office, Washington, D.C. 20231 on 10 SEPT 2002.

By Todd E. Garabedian
Todd E. Garabedian, Ph.D.
Registration No. 39,197
Attorney for Applicant(s)

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
United States Patent and Trademark Office
Washington, DC 20231

Dear Sir:

Pursuant to 37 C.F.R. §1.56, the Examiner is respectfully requested to consider the references cited on attached Form PTO-1449. A copy of each reference (if not previously submitted) is enclosed. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the reference(s) be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

- [] 1. This Information Disclosure Statement is being filed within three months of the U.S. filing date OR before the mailing date of a first Office Action on the merits. No certification or fee is required.

- [X] 2. This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection or Notice of Allowance.
- [] a. Each item of information contained on Form PTO-1449 filed herewith was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. §1.97(e)(1); and no fee is required under 37 C.F.R. §1.17(p).
- [] b. No item of information cited on Form PTO-1449 filed herewith was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. §1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. §1.97(e)(2); and no fee is required under 37 C.F.R. §1.17(p).
- [X] Please charge Deposit Account No. 23-1665 in the amount of \$240.00 in payment of the fee under 37 C.F.R. §1.17(p). Two additional copies of this Information Disclosure Statement are enclosed.
- [] A check in the amount of \$240.00 is attached hereto in payment of the fee under 37 C.F.R. §1.17(p).
- [] 3. This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee. It is hereby requested that the Information Disclosure Statement be considered.
- [] a. Each item of information contained on Form PTO-1449 filed herewith was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. §1.97(e)(1).
- [] b. No item of information cited on Form PTO-1449 filed herewith was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. §1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. §1.97(e)(2).

- [] Please charge Deposit Account No. 23-1665 in the amount of \$130.00 in payment of the fee under 37 C.F.R. §1.17(i)(1). Two additional copies of this Information Disclosure Statement are enclosed.
- [] A check in the amount of \$130.00 is attached hereto in payment of the fee under 37 C.F.R. §1.17(i)(1).

The undersigned represents that the closest art of which he is presently aware has been cited herein and understands that this statement shall not be construed as a representation that no better art exists or that a thorough patentability search has been made.

The undersigned further represents that the filing of this Information Disclosure Statement shall not be construed to be an admission that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

Respectfully submitted,

MARINA V. BACKER ET AL.

By: Todd E. Garabedian

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Date: 10 SEPT 2002

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By

Todd E. Garabedian

Todd E. Garabedian, Ph.D.

Registration No. 39,197

Attorney for Applicant(s)

INFORMATION DISCLOSURE LETTER

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U. S. Patent and Trademark Office
Washington, D.C. 20231

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The undersigned further represents that the filing of this Information Disclosure Statement shall not be construed to be an admission that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b).

1. United States Patent No. 6,056,973 A (ALLEN, THERESA M ET AL) 2 May 2000 (2000-05-02).
2. United States Patent No. 6,015,897 A (THEODORE, LOUIS J ET AL) 18 January 2000 (2000-01-18).
3. United States Patent No. 5,972,707 A (KRISHNENDU, ROY ET AL) 26 October 1999 (1999-10-26).
4. United States Patent No. 5,859,228 A (JANJIC, NEBOJSA ET AL) 12 January 1999 (1999-01-12).
5. KIM, JIN-SOO and RAINES, RONALD T: PROTEIN SCIENCE, 2, pages 348-356 (1993).

Applicants submit that copies of the above-cited references are enclosed herewith.

If the Examiner has any questions or feels that a discussion with Applicants' representative would expedite prosecution, the Examiner is invited and encouraged to contact Applicants' undersigned representative at the telephone number listed below.

Respectfully submitted,

MARINA V. BACKER ET AL.

Date: 10 SEPT.

By: Todd E. Garabedian

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